



Dispute resolution procedure

1. Dispute resolution

1.1 The dispute resolution procedure in this clause applies to disputes (disagreements) under this constitution between a member or director and:

- (a) one or more members
- (b) one or more directors, or
- (c) the **company**.

1.2 Those involved in the dispute must try to resolve it between themselves within 14 days of knowing about it.

1.3 If those involved in the dispute do not resolve it ... they must within 10 days:

- (a) tell the directors about the dispute in writing
- (b) agree or request that a mediator be appointed, and
- (c) attempt in good faith to settle the dispute by mediation, or by adjudication.

1.4 The mediator or adjudicator must:

- (a) be chosen by agreement of those involved, or
- (b) where those involved do not agree:
 - i. for disputes between members, a person chosen by the directors, or
 - ii. for other disputes, a person chosen by either the Commissioner of the Australian Charities and Not-for-profits Commission.

1.5 A mediator or adjudicator chosen by the directors

- (a) may be a member or former member of the **company**
- (b) must not have a personal interest in the dispute, and
- (c) must not be biased towards or against anyone involved in the dispute.

1.6 When conducting the mediation, the mediator must:

- (a) allow those involved a reasonable chance to be heard
- (b) allow those involved a reasonable chance to review any written statements
- (c) ensure that those involved are given natural justice, and
- (d) in the case of mediation - not make a decision on the dispute.
- (e) In the case of adjudication (i.e at the request of the parties) make a decision regarding the outcome of the dispute.